

P.O. Box 1067
Fort Belvoir
VA 22060

September 28, 2008

Ms. Deborah Cusson
Exam Dept/Step
Federation of State Medical Boards
400 Fuller Wiser Road, Suite 300
Euless, TX 76039

Dear Ms. Cusson:

I have received your letter dated September 2, 2008, in which you stated that you sent e-mail notifications to my e-mail address on April 16, 2008, June 6, 2008, and July 29, 2008, all of which were returned undelivered. Your letter addressed to me on May 29, 2008, indicated specifically that you would send me e-mail notification at a later date when the permit was available. In August 2007 I informed you that I had not received any of the e-mails that you claimed to have sent me between April and August 2007.

It is obvious that you knew that the e-mail was not working when you sent me the letter by USPS mail on May 29, 2008, and promised to provide follow up communication by e-mail when the permit was available. In my letter to you dated November 28, 2008, I specifically requested that all future communications be sent to my local mailing address. Why would you send e-mail notification on June 6, and July 29, 2008, when you have had knowledge for more than a year that it was not working properly?

I do not routinely access the FSMB Candidate website, and have relied on the FSMB to provide appropriate feedback in a timely manner. I have provided you with ample reason why I am unable to re-take the Step 3 examination at this time including my reassignment and present responsibilities. If you need additional verification regarding my military assignment being one of the reasons to refund the Step 3 application fee I will be happy to provide you with names and phone numbers to contact military personnel. I will not furnish you with a copy of current military order since the order contains information that I am not authorized to release to any public organization.

I anticipate your full cooperation with my request to refund the application fee at this time. I further request again that you forward all future written communication to me at the address provided and that nothing should be sent to an e-mail address especially when you have knowledge that the e-mail address does not work.

Respectfully,

C. Earl Grant, M.D.

C. Earl Grant, M.D., Ph.D.

cc: Magistrate Gustave J. DiBianco
cc: Heidi Martinez
cc: Stefan D. Berg



September 2, 2008

C. Earl Grant
P. O. Box 551
Fort Drum, NY 13602

Dear Dr. Grant:

I have received your letter dated August 18, 2008 indicating that you have not received a follow up email from the Federation of State Medical Boards regarding your Step 3 examination scheduling permit and your request for refund due to your not being able to test at this time due to your military commitments.

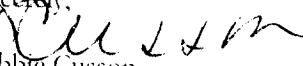
This letter confirms that emails were sent to you on April 16, 2008, indicating that Federation of State Medical Boards was processing your application and another email on June 6, 2008, indicating that your Step 3 examination scheduling permit was available for you to access and print from the Candidate website. Another email was sent on July 29, 2008 (this was an email sent by myself) indicating that we had not seen that you had scheduled your Step 3 exam. All of the emails were returned to us stating the following: "The sender is not authorized to send to the destination. This can be the result of per-host or per-recipient filtering. Client host blocked using blackholes.excite.com; Sender address rejected: Access denied." If the usmle@fsmb.org or dcussion@fsmb.org email addresses are blocked, you will not receive your email notifications. I have included copies of the information that was provided to us when the emails were returned. To ensure receipt of emails from the Federation of State Medical Boards will require that you give permissions either through your own filtering or by contacting your email service to ensure that emails sent from the Federation of State Medical Boards are allowed.

As we have discussed previously over the phone and via email, your scheduling permit and score report are only accessible through the Candidate website. You do not have to wait for an email to access your Step 3 exam information, you can access the Candidate website at any time to know the status of your application and print your scheduling permit and/or score report.

If you wish to cancel your current Step 3 application and request a refund, you will need to submit an explanation of the reason for the request for a refund and the supporting documentation (a copy of the orders from the military changing your duty station or status), as you have done with your previous Step 3 application based on a letter from me dated March 3, 2008.

I tried to contact you by phone, however, no phone number was provided on your most recent Step 3 application.

Sincerely,


Debbie Cusson
Supervisor, Registration Services

Enclosures

Deborah Cusson (FSMB)

From: System Administrator [donotreply@fsmb.org]
Sent: Tuesday, July 29, 2008 6:08 PM
To: Deborah Cusson (FSMB)
Subject: Non delivery report: 5.7.1 (Delivery not authorized)

Attachments: delivery-status.txt; message-header.txt; USMLE Step 3 Application - 40483067



delivery-status.message-headeUSMLE Step 3
txt (553 B) r.txt (1 KB) pplication - 404.

Your message

From: Deborah Cusson (FSMB) <DCusson@fsmb.org>

To: grant965@excite.com

Subj: USMLE Step 3 Application - 40483067
Sent: 2008-07-29 16:06

has encountered a delivery problem.

Reason: Delivery not authorized
The sender is not authorized to send to the destination.
This can be the result of per-host or per-recipient filtering.

Transcript of session:

RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

Delivery status:

Date: Tue, 29 Jul 2008 18:08:12 -0500
Reporting-MTA: dns; oper-xwall.fsmb.org
Received-From-MTA: dns; mail.fsmb.org
Arrival-Date: Tue, 29 Jul 2008 16:06:34 -0500

Final-Recipient: rfc822; grant965@excite.com
Remote-MTA: dns; xmxatip.excite.com
Action: failed
Status: 5.7.1
Diagnostic-Code: smtp;
RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

Deborah Cusson (FSMB)

From: Deborah Cusson (FSMB)
Sent: Tuesday, July 29, 2008 4:06 PM
To: grant965@excite.com
Subject: USMLE Step 3 Application - 40483067

Dear Dr. Carroll Earl Grant:

I just wanted to communicate with you in reference to your Step 3 application and the scheduling of your Step 3 exam.

I have noticed that your current eligibility expires on September 11, 2008 and that I don't show that you have scheduled your exam or accessed your scheduling permit.

Emails that were sent to you regarding the processing of your application have been returned to us stating "failed" or 'Delivery not authorized, the sender is not authorized to send to the destination. This can be the result of per-host or per-recipient filtering, or 'access denied'.

I know that we have discussed that permits are no longer mailed and that you must access them from the Candidate website. I just wanted to be sure that you were aware that your eligibility would soon expire. Should you need an extension you would be required to submit an eligibility extension request along with the appropriate fee to be received not later than 10 days after your current ending eligibility period.

Please contact me if you have any questions.

Sincerely,

Debbie Cusson, Supervisor, Registration Services

USMLE Inbox

From: System Administrator [donotreply@fsmb.org]
Sent: Friday, June 06, 2008 10:58 AM
To: USMLE Inbox
Subject: Non delivery report: 5.7.1 (Delivery not authorized)

Attachments: delivery-status.txt; message-header.txt; USMLE Step 3 Scheduling Permit Notice (40483067)


delivery-status.message-head USMLE Step 3
txt (551 B) r.txt (1,014 B) heduling Permit
Your message

From: usmle@fsmb.org
To: grant965@excite.com
Subj: USMLE Step 3 Scheduling Permit Notice (40483067)
Sent: 2008-06-06 11:00

has encountered a delivery problem.

Reason: Delivery not authorized
The sender is not authorized to send to the destination.
This can be the result of per-host or per-recipient filtering.

Transcript of session:
RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

Delivery status:
Date: Fri, 6 Jun 2008 10:57:52 -0500
Reporting-MTA: dns; oper-xwall.fsmb.org
Received-From-MTA: dns; mail.fsmb.org
Arrival-Date: Fri, 6 Jun 2008 10:57:40 -0500

Final-Recipient: rfc822; grant965@excite.com
Remote-MTA: dns; xmxatip.excite.com
Action: failed
Status: 5.7.1
Diagnostic-Code: smtp;
RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

USMLE Inbox

From: System Administrator [donotreply@fsmb.org]
Sent: Wednesday, April 16, 2008 8:15 PM
To: USMLE Inbox
Subject: Non delivery report: 5.7.1 (Delivery not authorized)

Attachments: delivery-status.txt; message-header.txt; Now Processing your USMLE Step3 Application Notice (40483067)



delivery-status.message-headNow Processing
txt (553 B) r.txt (774 B) our USMLE Step

Your message

From: usmle@fsmb.org

To: grant965@excite.com

Subj: Now Processing your USMLE Step3 Application Notice (40483067)
Sent: 2008-04-16 19:45

has encountered a delivery problem.

Reason: Delivery not authorized
The sender is not authorized to send to the destination.
This can be the result of per-host or per-recipient filtering.

Transcript of session:

RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

Delivery status:
Date: Wed, 16 Apr 2008 20:14:44 -0500
Reporting-MTA: dns; oper-xwall.fsmb.org
Received-From-MTA: dns; mail.fsmb.org
Arrival-Date: Wed, 16 Apr 2008 19:44:08 -0500

Final-Recipient: rfc822; grant965@excite.com
Remote-MTA: dns; xmxatip.excite.com
Action: failed
Status: 5.7.1
Diagnostic-Code: smtp;
RCPT TO:<grant965@excite.com>
554 5.7.1 Service unavailable; Client host [216.65.195.134] blocked using
blackholes.excite.com; Sender address rejected: Access denied Error: WS-19

USMLE Inbox

From: USMLE Inbox
Sent: Wednesday, April 16, 2008 7:46 PM
To: grant965@excite.com
Subject: Now Processing your USMLE Step3 Application Notice (40483067)

THIS IS AN AUTOMATICALLY GENERATED EMAIL.

Any replies or questions must be routed through the following email address: usmle@fsmb.org or by calling 817-868-4041.

Dear Doctor:

FSMB has started processing your Step 3 application submitted online. Please remember that we cannot complete processing of your application until we receive the following:

- Step 3 Certification of Identity (CID) page with your photo ID (Note: Beginning with the 2005 application, the Step 3 CID page is valid for 5 years. If a valid Step 3 CID page is already on file with FSMB, it is not necessary to resubmit a new form when reapplying for Step 3.)
- Any required documents, if applicable (e.g., postgraduate training form)

If you have not already done so, mail the Step 3 CID page and/or any required documents (if applicable) to:

FSMB
Attn: Exam Department
400 Fuller Wiser Rd, Ste 300
Euless, TX 76039

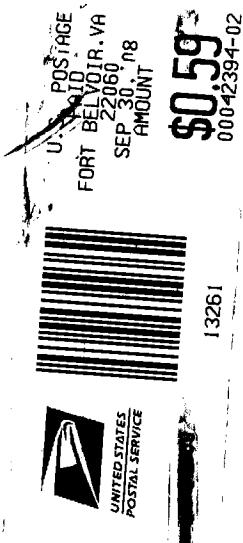
Processing of your online application should be completed within 10 business days of receipt of your Step 3 CID page and/or any additional documents. You will receive another email once your application has been approved.

If you have not received notification of your approval within 10 business days, you should contact FSMB at 817-868-4041. You can monitor the progress of your application's status on the Step 3 Candidate web page: [Candidate Website](#). Please allow 2-3 business days for status information to reach the Candidate web page.

Sincerely,
Examination Services

Federation of State Medical Boards

req# Name: Carroll Earl Grant - RequestID: 19205498



C. Earl Grant
P.O. Box 1067
Fort Belvoir
VA 22060

Magistrate Gustave J. Dibianco
U.S. Courthouse
100 South Clinton Street
P.O. Box 7396
Syracuse, NY 13261-7396

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